FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.663 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.D.R.More, A.P.P. for the Appellant.

CORAM : R.S. MOHITE,J.
DATED : 12/1/2006.

P.C.

1. This is an appeal filed by the state impugning a judgment and order passed by the VIth J.M.F.C. Thane on 9.1.2004 acquitting the accused for the offence punishable under Section 420 read with 34 of the I.P.C. On perusal of the impugned judgment and order it is seen that the acquittal is based on cogent and acceptable reasons. The allegation was that the accused No.2 had taken handloan of Rs.27,000/- and had assured to repay the same but he was not repaying the money and therefore, complaint was filed. In his

evidence, the complainant and his son admitted that the accused No.2 had paid that amount and they had not pay any amount to accused No.1. It is noticed that there is absolutely no evidence in this case to bring home conviction under Section 420 read with 34 of the I.P.C. In my view not a fit case to interfere. Hence, leave refused. Consequently the appeal stands dismissed.

(R. S. MOHITE, J.)